

DOCKET NO. 3195.1 003-001

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application☐ Supplemental (37 C.F.R. §1.67)

As a named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 2 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

COMPUTER METHOD AND APPARATUS FOR AIRCRAFT MIXTURE LEANING

the specification of which (check one)

- ☐ is attached hereto.
- ☒ was filed on April 14, 2004 as United States Application Number 10/824,769.
- ☐ was filed on [PCT Filing Date] as PCT International Application No. [PCT Appl'n No.] [and assigned United States Application No. [ ]].
- ☐ and was amended on [ ] (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119 or 365 of any foreign application(s) for patent or inventor's certificate, or of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

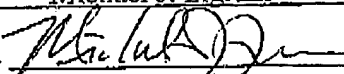
<u>Prior Foreign Application(s)</u>			Priority Not Claimed	Certified Copy Filed?	
				YES	NO
(Number)	(Country)	(Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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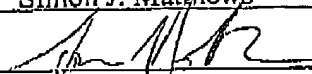
-2-

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

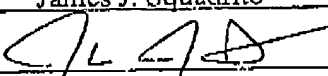
Full name of sole

or first inventor Michael J. IngramInventor's Signature Date 10/12/04Residence 105 East Avenue BMelbourne, FL 32901Citizenship USAMailing Address Same as above

Full name of second joint

inventor, if any Simon J. MatthewsInventor's Signature Date 10/12/04Residence 333 Wayne AvenueIndianapolis, FL 32903Citizenship New ZealandMailing Address Same as above

Full name of third joint

inventor, if any James J. SquadritoInventor's Signature Date 10/14/04Residence 8 Warren StreetIpswich, MA 01938Citizenship USAMailing Address Same as above

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## HAMILTON, BROOK, SMITH &amp; REYNOLDS, P.C.

**POWER OF ATTORNEY OR  
AUTHORIZATION OF AGENT AND  
CORRESPONDENCE ADDRESS**

Application Number	10/824,769
Filing Date	April 14, 2004
First Named Inventor	Michael J. Ingram
Confirmation Number	6716
Group Art Unit	3661
Examiner Name	
Attorney Docket Number	3195,1003-001

Title COMPUTER METHOD AND APPARATUS FOR AIRCRAFT MIXTURE LEANING

I/We hereby appoint

- ☒ the attorneys/agents associated with Customer No. 021005  
☐ Practitioner(s) named below:

as my/our attorneys/agents to prosecute the application identified above, including any continuation or divisional applications thereof, and to transact all business in the United States Patent and Trademark Office connected therewith.

The correspondence address for the above-identified application is:

- ☒ Customer Number 021005  
 Hamilton, Brook, Smith & Reynolds, P.C.  
 530 Virginia Road  
 P.O. Box 9133  
 Concord, Massachusetts 01742-9133  
☐ Other \_\_\_\_\_

Please direct all telephone calls and facsimiles to:

Name Mary Lou Wakimura, Esq. Tel. No. 978-341-0036 Fax No. 978-341-0136

I am the:

- ☐ Applicant/Inventor.  
☒ Authorized representative of the Assignee, Avidyne Corporation, of the entire interest. See 37 C.F.R. § 3.71. A Statement under 37 C.F.R. § 3.73(b) is enclosed.  
☐ Authorized representative of the Assignee, [ ], together with [ ], of the entire interest. A Statement under 37 C.F.R. § 3.73(b) is enclosed.

**SIGNATURE of Applicant or Assignee of Record**

Name & Title	<u>John E. MacPhee, C.F.O.</u>
Signature	<u>[Signature]</u>
Date	<u>10/20/2004</u>

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Docket No. 3195,1003-001STATEMENT UNDER 37 C.F.R. § 3.73(b)Inventor(s): Michael J. Ingram, Simon Matthews and James J. SquadritoApplication No.: 10/824,769Filed/Issue Date: April 14, 2004For: Computer Method and Apparatus for Aircraft Mixture LeaningAvidyne Corporation

(Name of Assignee)

a corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is

- A. ☒ the assignee of the entire right, title and interest in the patent application identified above; or
- B. ☐ an assignee together with ☐ of the entire right, title and interest in the patent application identified above.

The right, title and interest of the above-named assignee in the patent application identified above is established by virtue of:

- A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Date: 10-20-2004

Name: John E. MacPhee

Title: CFO

Signature: J MacPhee

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**COPY**

Docket No. 3195.1003-001

JointASSIGNMENT

WHEREAS, we, Michael J. Ingram, Simon Matthews and James J. Squadrito, have invented a certain improvement in Computer Method and Apparatus for Aircraft Mixture Learning described in an application for Patent,

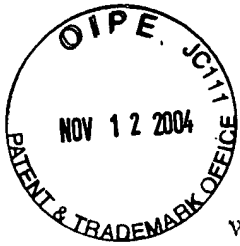
- ☐ the specification of which is being executed on even date herewith and is about to be filed in the United States Patent Office (*use for utility (37 CFR § 1.53(b)) and design filings only*);
- ☐ is about to be filed in the United States Patent Office as a Provisional Application;
- ☒ the specification of which is United States Application No. 10/824,769, filed April 14, 2004;
- ☐ the specification of which is a Patent Cooperation Treaty Application, International Application No. [ ], which designates the United States of America;
- ☐ which was patented under United States Patent No. [ ].

WHEREAS, Avidyne Corporation (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the State of Delaware, and having a usual place of business at 55 Old Bedford Road, Lincoln, Massachusetts 01773 desires to acquire an interest therein in accordance with agreements duly entered into with us;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue on said invention; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts

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Docket No. 3195.1003-001

which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of any future applications including substitution, reissue, divisional or continuation applications, and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request each Patent Office and the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said invention to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, we have hereto set our hands and affixed our seals the date set forth below.

Inventor's Signature: \_\_\_\_\_

Michael J. Ingram

State/Commonwealth

of \_\_\_\_\_

County of \_\_\_\_\_

On this 13<sup>th</sup> day of October, 2004, before me, the undersigned notary public, personally appeared Michael J. Ingram,

☒ personally known to me, or

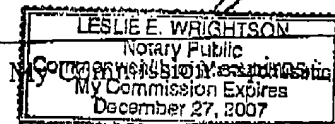
☐ proved to me through satisfactory evidence of identification, which was

to be the person whose name was signed on the foregoing instrument in my presence, and acknowledged that he/she signed the foregoing instrument as his/her free act and deed.

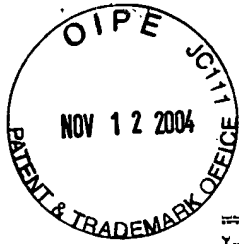
(SEAL)

Notary Public

(print name)



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-3-

Docket No. 3195.1003-001

Inventor's Signature: \_\_\_\_\_

Simon Matthews

State/Commonwealth

of MassachusettsCounty of Middlesex

On this 13<sup>th</sup> day of October, 2004, before me, the undersigned notary public, personally appeared **Simon Matthews**,

☒ personally known to me, or

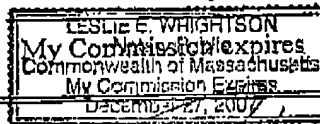
☐ proved to me through satisfactory evidence of identification, which was

to be the person whose name was signed on the foregoing instrument in my presence, and acknowledged that he/she signed the foregoing instrument as his/her free act and deed.

(SEAL)

Notary Public

(print name)



Inventor's Signature: \_\_\_\_\_

James J. Squadrato

State/Commonwealth

of MassachusettsCounty of Middlesex

On this 15<sup>th</sup> day of October, 2004, before me, the undersigned notary public, personally appeared **James J. Squadrato**,

☒ personally known to me, or

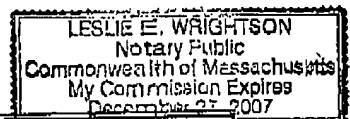
☐ proved to me through satisfactory evidence of identification, which was

to be the person whose name was signed on the foregoing instrument in my presence, and acknowledged that he/she signed the foregoing instrument as his/her free act and deed.

(SEAL)

Notary Public

(print name)

My Commission expires 12/27/2007

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## HAMPTON, BROOK, SMITH &amp; PYNOLDS, P.C.

FEE TRANSMITTAL FOR  
PATENT APPLICATIONS

Attorney Docket Number	3195.1003-001
Application Number	10/824,769
First Named Inventor	Michael J. Ingram

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(e) or (j))	20	- 20* =	0	x \$ 18 =	\$ 0
INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	4	- 3** =	1	x \$ 88 =	\$ 88
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+ \$ 300 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 790
				Total of above Calculations =	\$ 878
				Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =	\$ 439
				TOTAL =	\$ 439
				Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =	\$ 65
				Petition for Extension of Time Fee (37 C.F.R. 1.17) =	\$ 215
				Assignment Recordation Fee = (only when filed with application)	\$
				[Other]	\$
				TOTAL =	\$ 719

\* Reissue claims in excess of 20 and over original patent  
 \*\* Reissue independent claims over original patent

## 1. Small entity status:

- a. ☒ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. ☒ A check is enclosed for \$[ 719 ]. ☐ Please charge \$[ ] to Deposit Account No. 08-0380.

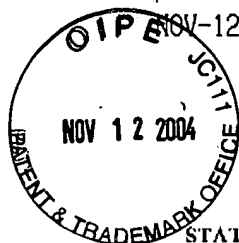
4. ☐ Other: \_\_\_\_\_

Signature	<i>Caroline M. Fleming</i>	Date	10/21/04
Submitted by Typed or Printed Name	Caroline M. Fleming	Reg. Number	45,566

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P. 18

STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.27(a))-SMALL BUSINESS CONCERN

DOCKET NUMBER: 3195.1003-001

Applicant or Patentee: Michael J. Ingram, Simon Matthews and James J. Squadrito  
Application or Patent No.: 10/824,769  
Filed or Issued: April 14, 2004  
Title: COMPUTER METHOD AND APPARATUS FOR AIRCRAFT MIXTURE LEANING

I hereby state that I am

- ☐ the owner of the small business concern identified below;  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Avidyne Corporation  
ADDRESS OF SMALL BUSINESS CONCERN 55 Old Bedford Road  
Lincoln, Massachusetts 01773

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416 or you may call 202-205-6618.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with title as listed above.  
☒ the application identified above.  
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each person, concern or organization having rights in the invention must file separate statements as to their status as small entities. No rights to the invention are held by any person who would not qualify as a person under 37 CFR 1.27(a)(1), or by any concern which would not qualify as a small business concern under 37 CFR 1.27(a)(2), or a nonprofit organization under 37 CFR 1.27(a)(3).

Each additional person, concern or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.  
☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern, or organization having rights to the invention stating their status as small entities.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.27(g)(2))

NAME OF PERSON SIGNING John E. MacPhee  
TITLE OF PERSON IF OTHER THAN OWNER CFO  
ADDRESS OF PERSON SIGNING 55 Old Bedford Rd, Lincoln, MA 01773  
SIGNATURE [Signature] DATE 10-20-2004

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